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## **3.0 AMENDMENTS TO THE DEIR**

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## **3.0 AMENDMENTS TO THE EIR**

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### **AMENDMENTS TO EXECUTIVE SUMMARY**

*The executive summary has been revised and is incorporated herein.*

*Paragraph three on page Page S-2 of the Executive Summary has been revised as follows:*

CEQA Guidelines Section 15126.6(e)(2) requires that the environmentally superior alternative be identified. If the environmentally superior alternative is the 'No Project' Alternative, the EIR shall also identify an environmentally superior alternative among other alternatives. In this case, Alternative 1, 'No Project/No Development,' represents the environmentally superior alternative because, as determined from the above analysis, most impacts would be reduced relative to the proposed project. However, the 'No Project/No Development' meets none of the project objectives and is inconsistent with the General Plan and zoning land use designations. From the remaining options, Alternative 2 3, the 'Reduced Density Alternative,' would be the environmentally superior alternative and would result in a lesser degree of environmental impact as compared to the proposed project. This is due primarily to the reduced impacts related to traffic, parking and circulation and associated reduction in noise and air quality impacts that would result from the reduced square footage. However, this scenario would not be financially feasible to the project applicant and would not meet the applicant's project objectives or the City's objectives to provide commercial retail shopping center that serves the local and regional market, results in a net fiscal benefit to the City, reduces sales dollar leakage, and creates new jobs for the City of Morgan Hill. Table 4-3 compares each considered alternative with the proposed project.

### **AMENDMENTS TO THE PROJECT DESCRIPTION**

A revised conceptual landscaping plan (Figure 2-10) that was defined after release of the Draft EIR and a revised site plan (Figure 2-8) that shows the correct lane configuration noted within the Draft EIR is incorporated herein.

### **AMENDMENTS TO SECTION 3.3, AIR QUALITY**

*Page 3.3-15 of the Draft EIR has been revised as follows:*

During construction, various diesel powered vehicles and equipment would be in use on the project site. In 1998, the CARB identified diesel exhaust as a Toxic Air Contaminant (TAC). Health risks from TAC are a function of both concentration and duration of exposure. Construction diesel emissions are temporary, affecting an area for a period of days or perhaps weeks. Additionally, construction related sources are mobile and transient in nature and the bulk of the emissions occurring within the project site would be between approximately 100 to 1,300 feet to the nearest sensitive receptors, with the

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exception of the approved assisted living facility that would be located within 100 feet of the southern boundary of the project site. Because of the short duration, The potential health risks from construction emissions of diesel exhaust at this sensitive receptor would be considered potentially significant. ~~would represent a less than significant impact.~~ The following mitigation measure would reduce this potentially significant impact to a less than significant level.

- MM-3.3-2b** Subject to approval by the City of Morgan Hill, the project applicant shall limit the pieces of diesel-powered construction equipment used at any one time, and limit the idling and hours of operation for heavy-duty equipment as feasible during construction of the proposed project to limit the emission of diesel exhaust. Gasoline-powered equipment shall be used as an alternative to diesel to the extent feasible and when comparable equipment and technology is available.

*Impact 3.3-3 has been revised to address long-term operational air quality emissions from mobile source emissions, as well as area source emissions:*

- Impact 3.3-3** The proposed project would generate operational emissions that would affect long-term air quality. This would be a **significant impact**.

The proposed project would produce new automobile trips, generating emissions of criteria air pollutants, which could affect both regional and local air quality. The traffic study prepared by Fehr and Peers Associates, Inc (March 2005) estimates that the proposed project would generate approximately 22,009 daily weekday automobile trips at full build-out.

To evaluate the effects of the proposed project on regional air quality, emissions of ozone precursor pollutants, and PM<sub>10</sub> were predicted using the URBEMIS-2002 Model, released by the CARB. The URBEMIS-2002 model is used to predict air pollutant emissions associated with mobile source emissions (e.g. automobile use) and area source emissions (e.g. operation of landscaping equipment, etc.). The methodologies used for these analyses along with modeling output are contained in Appendix C. The URBEMIS model combines assumptions for automobile activity (e.g., number of trips, vehicle mix, vehicle miles traveled, etc.) with vehicle emission factors. Project trip generation data provided by Fehr and Peers Associates, Inc. was used to input into the model. Potential emissions of ROG from a possible gas station were predicted and are added to the URBEMIS-2002 modeling results, as a worst-case analysis. Daily emissions of regional air pollutants from build-out of the proposed project are shown in Table 3.3-4.

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TABLE 3.3-4  
DAILY REGIONAL AIR POLLUTANT EMISSIONS

Description	Reactive Organic Gases (ROG) (lbs/day)	Nitrogen Oxides (NO <sub>x</sub> ) (lbs/day)	Particulate Matter (PM <sub>10</sub> ) (lbs/day)
Weekday Emissions	149*	135	110
Weekend Emissions	189*	177	146
BAAQMD Significance Thresholds	80 lbs/day	80 lbs/day	80 lbs/day

\*Includes estimated 19 pounds per day of Reactive Organic Gas emissions associated with the optional gas station.

The proposed project would result in worse case emissions of 189 lbs/day or ROG, 177 lbs/day of NO<sub>x</sub>, and 146 lbs/day of PM<sub>10</sub> during the weekend, which is considered a worst-case scenario. Area source emissions associated with the proposed project would be approximately .54 pounds per day of reactive organic gases (ROG), 6.36 pounds per day of nitrogen oxides (NO<sub>x</sub>), 3.13 pounds per day of Carbon Monoxide (CO), and 0.01 pounds per day of fine particulate matter (PM<sub>10</sub>). Project direct and indirect emissions of ozone precursor pollutants (i.e., ROG and NO<sub>x</sub>) would exceed the thresholds established by the BAAQMD, of 80 lbs/day for criteria pollutants, ROG, NO<sub>x</sub>, and PM<sub>10</sub>. PM<sub>10</sub> emissions, which could lead to both regional and local air quality impacts, would also exceed the significance thresholds.

The proposed project generates more traffic on weekend days (i.e., Saturdays) and would result in greater emissions than on weekdays. In fact, emissions of ozone precursor pollutants and PM<sub>10</sub>, which are significant on weekdays, would be over 30 percent higher on peak Saturdays. Emissions associated with the proposed project are estimated to be above the significance thresholds established by the BAAQMD, and therefore, would be considered significant. Implementation of the following mitigation measures would reduce operational emissions associated with both mobile and area source emissions.

- MM 3.3-3a A facilities 'trip reduction plan' shall be implemented by the project applicant to reduce single occupant vehicle commute trips by employees and promote non-auto travel by both employees and patrons. The facilities trip reduction plan shall may include, but not be limited to elements that would reduce traffic, and thus air pollutant emissions as described below:
- Provide one bus stop/shelter with pedestrian access to the project site. Implementation of this measure could reduce project emissions by approximately two percent.

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- Bicycle amenities should be provided at the project site once the proposed project is in operation. Bicycle amenities could include secure bicycle parking for employees, bicycle racks for customers, and bike lane connections. This vehicle trip reduction measure may reduce emissions associated with the proposed project by approximately two percent.
- Pedestrian facilities should link the future transit stop and access roadways to the major sites uses. This trip reduction measure may reduce emissions by approximately one percent.
- Designate a portion of the parking lot for weekday 'park-and-ride' parking spaces (the excess between weekday peak and weekend peak), which would reduce emissions from traffic to the project site by allowing commuters to park their car and carpool or take transit.
- Require employers at the project site to post transit rates and scheduling information on bulletin boards. This vehicle trip reduction measure may reduce emissions by one percent.

The project applicant shall incorporate as many BAAQMD recommended reduction measures, as reasonably possible, into the trip reduction plan including the following: providing public service announcements including the 'Spare the Air' advertisement at the project's cinema and provisions to provide employees with a parking cash-out incentive to reduce the likelihood of driving alone.

Preparation and implementation of a trip reduction plan designed to reduce traffic congestion in the project area could result in lower emissions from vehicle travel. The amount of congestion relief and related total emission reduction is unknown. Therefore long-term operational emissions associated with the proposed project would remain significant and unavoidable, even with full effectiveness of the mitigation measure.

MM 3.3-3b      Subject to review and approval by the City of Morgan Hill, the proposed project shall integrate the following design features into the proposed project to reduce area source air quality emissions:

- Carefully select and locate trees to provide shade for structures and pathways within the project site during the summer months. Deciduous trees should be favored since they provide shade in the summer and allow sun to reach residences during cold and winter months. This measure should be focused on southern and western exposures of buildings;

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- Incorporate as many energy conserving features as financially feasible into the design and construction of new buildings at the project site. Examples include, but are not limited to, increased wall and ceiling insulation (beyond code requirements), super insulated windows (triple pane) and maximum use of energy efficient lighting;
- Install super-efficient heating, ventilation, and air conditioning (HVAC) systems; and
- Incorporate light colored and reflective roofing materials into the project design.

Preparation and implementation of a trip reduction plan designed to reduce traffic congestion in the project area, as well as incorporation of design features to reduce area source emissions, could result in lower emissions from vehicle travel and operation of the proposed project. The amount of congestion relief and related total emission reduction is unknown. Therefore long-term operational emissions associated with the proposed project would remain significant and unavoidable, even with full effectiveness of the mitigation measure.

### AMENDMENTS TO SECTION 3.4, BIOLOGICAL RESOURCES

*Mitigation Measure 3.4-2 on page 4.3-29 of the Draft EIR has been revised as follows:*

- MM 3.4-2 If proposed construction activities are planned to occur during the nesting seasons for local avian species (typically February 1<sup>st</sup> through August 31<sup>st</sup>), the project applicant shall retain a qualified biologist approved by the City to conduct a focused survey for active nests of raptors and migratory birds within and in the vicinity (i.e., any suitable breeding habitat in accessible parcels adjacent to the project area that the biologist deems could be disturbed by construction activities) of the construction area no more than 30 days prior to ground disturbance. If active nests are located during preconstruction surveys, construction activities shall be restricted as deemed necessary by the qualified biologist to avoid disturbance of the nest until it is abandoned or the biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 250-100-feet or as determined by a qualified biologist around the nest) or alteration of the construction schedule. No action is necessary if construction will occur during the nonbreeding season (generally September 1<sup>st</sup> through January 31<sup>st</sup>).

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#### **AMENDMENTS TO SECTION 3.5, CULTURAL RESOURCES**

*The second paragraph on page 3.5-4 of the Draft EIR has been modified as follows:*

The primary structure is similar to the previously mentioned primary residence, however, it was built in 1912 and has a side entrance and square bay window in the rear. There are six structures associated with this residence, including two wood-sided barns, a wood-sided shed, a metal-framed hay barn, a pump house and a restroom. The hay barn and restroom were constructed in the 1970's or 1980's when the property was an equestrian boarding facility. The age of the other structures is uncertain and did not consist of any unique design or construction. All buildings lacked maintenance. Photographs of this residence and associated outbuildings are shown in Figures 23.5-2A, 23.5-2B, and 23.5-2C.

*Mitigation Measure 3.5-2a on page 3.5-18 of the Draft EIR has been revised as follows:*

- MM 3.5-1a Should any previously undisturbed cultural, historic, or archaeological resources be uncovered in the course of site preparation, clearing or grading activities, all operations within 150 50 feet of the discovery shall be halted until such time as a qualified professional archaeologist can be consulted to evaluate the find and recommend appropriate action. If the find is determined to be significant, appropriate mitigation measures shall be formulated by the City of Morgan Hill and implemented by the project applicant.

#### **AMENDMENTS TO SECTION 3.7, HAZARDS AND HAZARDOUS MATERIALS**

*Paragraph three on Page 3.7-3 has been modified as follows:*

##### **Imported Fill Soil**

According to Twining's telephone interview with Ms. Millerd-Low, fill soil was placed throughout the Millerd-Low parcel. The imported soil was generated by the Santa Clara Valley Water District pipeline ~~which was installed about one mile north of the project site located adjacent to and within the project site along the southerly and westerly property lines.~~ Twining found no available analytical information on the imported fill soil, although the fill was reportedly derived from agricultural land and rangeland.

#### **AMENDMENTS TO SECTION 3.8, SURFACE WATER HYDROLOGY AND WATER QUALITY**

*Page 3.8-8 through of Section 3.8, Surface Water Hydrology and Water Quality has been revised as follows:*

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The stormwater to be temporarily stored in the planned detention ponds will be pumped to the adjacent Cochrane Channel at discharge rates which are at or below pre-development levels, as required by the SCVWD. ~~No mitigation measure is required.~~

According to the Flood Insurance Study Report for San Jose, Coyote Creek has a 100-year peak discharge of 15,000 cfs at the Madrone gage near the project site, is reduced to 12,630 cfs at Interstate I-680 and then is abruptly reduced to 11,400 cfs upstream of the confluence with Silver Creek. The William Street area has the lowest flooding threshold along the creek from Anderson Dam to San Francisco Bay and is located downstream of I-680. The pumping facilities at the project site would have to shut down only for major events, or events that are in excess of the 10-year flood and are most likely in the neighborhood of the 50-year to 100-year floods to ensure that downstream flooding does not occur. The following mitigation measure would reduce this potentially significant impact due to a less than significant level.

#### **Mitigation Measure**

**MM 3.8-4** Subject to approval by the SCVWD, the project applicant shall install a telemetry system which senses the flow in Coyote Creek at a SCVWD stream gage system, which shuts down the pumping system at the detention ponds at the project site when creek discharges reach or exceed a levels believed to cause flooding in the William Street area in the City of San Jose.

Implementation of this mitigation measure would ensure that stormwater discharges from the proposed project do not induce downstream flooding during major storm events.

*Mitigation measure 3.8-3 has been revised as follows:*

**MM 3.8-3** The proposed project shall include structural and non-structural stormwater controls, in order to reduce non-point source pollutant loads.

Specifically, the detention ponds planned at the northern end of the project site to temporarily store post-development runoff shall be designed to provide water quality treatment through settling of sediments prior to the discharge of the stormwater to Cochrane Channel. These dual-purpose ponds will provide both stormwater detention and water quality treatment, to a sufficient level to comply with the amended Provision C.3 of the SCVURPPP NPDES Phase 2 Permit requirements, if those requirements are deemed to be applicable to the proposed project (see Section 3.8.2 Regulatory Setting, above, for a full discussion).

Additional post-construction Best Management Practices (BMPs) to be implemented will include, but not be limited to the following:

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- Impervious surfaces such as roads, parking lots, and driveways shall be routinely cleaned during both the “wet” and “dry” seasons to limit the accumulation of “first flush” contaminants;
- Features such as detention ponds shall be utilized to capture pollutants before the stormwater runoff enters the storm drainage system;
- Engineered products, such as storm drain inlet filters, oil/water separators, vortex separators etc., shall be utilized to capture pollutants before the stormwater runoff enters the storm drainage system;
- The developer shall distribute educational materials to the first tenants of properties included in the project development. These materials shall address good housekeeping practices relating to stormwater quality, prohibited discharges, and proper disposal of hazardous materials;
- Common landscaped areas shall be subject to a program of efficient irrigation and proper maintenance including minimizing use of fertilizer, herbicides and pesticides;
- The project tenants and users shall implement a trash management and litter control program to mitigate the impacts of gross pollutants on storm water quality. This program shall include litter patrol, emptying trash receptacles in common areas, and reporting and investigating trash disposal violations;
- Storm drain inlets shall be labeled with the phrase “No dumping – flows to Bay,” or a similar phrase to mitigate the impact of potential for discharges of pollutants to the storm drain system;
- Restaurants within the development shall be designed to include contained areas for cleaning mats, containers and sinks connected to the sanitary sewers. Grease shall be collected and stored in a contained area and shall be removed regularly by a disposal recycling service. To this end, sinks shall be equipped with grease traps to provide for its collection.

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The portion of the project SWPPP that addresses post-construction practices shall itemize these and any additional pollution control measures required for the proposed project.

#### **AMENDMENTS TO SECTION 3.10, NOISE**

*The first paragraph on page 3.10-4 has been modified to address the approved assisted living facility.*

Sensitive receptors in the vicinity of the project site include two single-family homes located south of the project site along Cochrane Road; single family homes at the corner of Cochrane Road and Mission View Drive located approximately 100 feet from the southeast corner of the project site; several rural residential homes located approximately 1,000 feet north of the project site on Peebles Avenue; an approved assisted living facility and day care center located approximately 100 feet south of the southern border of the project site; and residential homes located 1,300 feet east of the project site along Peet Road.

#### **AMENDMENTS TO SECTION 3.12, TRANSPORTATION AND CIRCULATION**

*Mitigation Measure #3.12-3 has been revised as follows:*

- MM 3.12-3**      The two driveways shown directly behind the movie theater complex on Mission View Drive (i.e., the second and third driveways north of the Cochrane Road intersection) should be eliminated from the proposed project, and a circulation aisle should be provided behind the movie theater complex. The project applicant shall work with the City to incorporate traffic calming improvements at the driveways located along Mission View Drive to minimize pedestrian and vehicle conflicts at the project site.

*Mitigation Measure #3.12-7 on page 3.12-22 has been modified as follows:*

- MM 3.12-7**      The project applicant shall construct a new bus stop along the project frontage, including transit amenities such as a bus turnout, a shelter, and benches. All improvements shall be in accordance with the Santa Clara Valley Transportation Authority (VTA) standards, with the exception of planting trees at the bus stop in order to provide a more comfortable and aesthetically pleasing environment. The City of Morgan Hill shall work with the project applicant, Caltrain, and the VTA on ways to increase the frequency and coverage of transit service serving the project area and the nearest Caltrain station.

*Mitigation Measure #3.12-9 on page 3.12-23 has been modified as follows:*

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**MM 3.12-9** The following bicycle facilities shall be incorporated into the project:

- a) Bicycle racks and/or lockers to accommodate bicycle travel by customers and employees. Bicycle parking facilities should be located in high visibility areas in order to encourage bicycle travel and discourage theft and vandalism.
- b) Class II bicycle lanes along the project street frontages.

The Santa Clara Valley Transportation Authority (VTA) Bicycle Technical Guidelines, VTA Community Design and Transportation Guidelines and the VTA Pedestrian Technical Guidelines shall be used in design of the proposed bicycle facilities associated with the proposed project.

*Page 3.12-26 and Mitigation Measure #3.12-10 has been revised as follows:*

#### Impact Assessment

As noted at the outset of this discussion, both of the above methodologies could underestimate actual parking demand for the project. This is because both methods utilize the ITE shopping center rate to encompass both retail and restaurant uses. This is generally a valid approach since the ITE shopping center rate does include some provision for restaurants, although the proportion of restaurants assumed in the rate is not known. (It is also a necessary approach since the proportion of restaurant space to be included in the project has not yet been determined). ~~However, given that the parking demand rates for all types of restaurants are substantially higher than the shopping center rate, it is reasonable to conclude that the proportion of restaurants contemplated in the ITE shopping center rate is relatively minor. (This was confirmed by Fehr & Peers, who calculated that approximately 25,000 square feet of sit down restaurant space could be accommodated by the 3,025 parking spaces without resulting in an overall parking deficiency for the project. If fast food restaurants are included, this maximum floor area could increase somewhat as the proportion of fast food restaurants increases since the parking ratio for fast food is lower than for an equivalent area of sit down restaurant. Assuming a mix of roughly 65 percent fast food to 35 percent sit down restaurant by floor area, the maximum floor area for restaurants would be approximately 31,000 square feet without resulting in a parking deficiency.) Based on the information gathered by City staff, it appears that most cities have a general shopping center rate and, for the most part, do not look at individual uses within the shopping centers (e.g. restaurants). The cities that were contacted include Concord, Gilroy, Union City, Fremont, Hayward and Walnut Creek. Provided below is a condensed summary of the information that was obtained by City staff:~~

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- City of Concord: 4.5 spaces / 1,000 square feet of gross floor area for shopping centers over 50,000 square feet in size; also, "if at least 25 percent of the gross floor area is to be occupied by uses which require substantially more or less parking than that identified above, the approving body may allow the parking standard for each specific use to be used to calculate the parking requirements."
- City of Gilroy: 1 space / 200 square feet of gross floor area (regardless of use) for regional retail commercial centers.
- City of Fremont: 1 space / 250 square feet of gross leasable area, exclusive of bowling alleys, movie theaters and skating rinks, for shopping centers.
- City of Hayward: 1 space / 250 square feet of gross floor area (regardless of use) for shopping centers over 40,000 square feet in size.
- City of Walnut Creek: 1 space / 250 square feet of rentable floor area for shopping centers over 50,000 square feet in size in the Community Commercial Zone. In all other commercial zones parking is based on each individual use. (Note: The Pedestrian Retail Zone requires 1 space / 300 square feet regardless of use. However, staff determined that the Pedestrian Retail Zone does not apply since it encompasses the downtown area where parking structures are provided.)
- Union City: At the Union Landing shopping center, initially, the parking requirements for each individual use was calculated, and then a shared parking analysis was prepared to determine the final parking requirement. It should be noted that use permits were partly required to ensure that adequate parking was available; however, Union Landing has a large number of restaurants.

Based on research conducted by City staff, the City parking requirements (1 space / 3.5 cinema seats plus 1 space / 283 square feet for the rest of the shopping center), are consistent with the parking requirements of other jurisdictions. This supports City staff's earlier assertions that the proportion of restaurants contemplated in the ITE rates in general is not 'minor'. Furthermore, the City's parking requirement is actually more conservative than the shared parking analysis prepared for the proposed project. Implementation of the following mitigation measure would ensure that adequate parking is available on-site and would ensure that the proposed project does not result in a potentially significant impact to parking at the project site.

Based on research conducted by City staff, Therefore, if the amount of restaurant space ultimately proposed exceeds these maximums, the project would potentially face a parking deficiency unless the parking supply is increased, and/or overall project floor area is

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~~reduced, and/or the mix of other uses is modified (i.e., some proportion of a land use with high parking demand such as cinema is replaced with a land use with lower parking demand such as retail).~~

~~Environmental documents prepared under CEQA, including supporting technical reports on traffic and parking impacts, are to assume reasonable worst case conditions in the absence of specific project information. In the case of the proposed project, there is a likelihood that a parking deficiency of undetermined magnitude will occur if more restaurant space than the maximum amount indicated above is included in the project. This represents a significant impact of the proposed project. Implementation of the following mitigation measure would reduce this impact to a less than significant level.~~

- MM 3.12-10** The overall number of parking spaces included in the project shall be required to meet the ~~aggregate parking demand of the various land uses proposed within the project, to be determined as follows:~~

~~At the time of subsequent discretionary approval (e.g., use permit, design review) for each individual restaurant pad or space, the parking supply provided for each such pad or space shall meet the peak parking demand for the specific type of restaurant proposed (e.g., sit down, fast food), as determined through either the applicable City code parking requirement as follows: the cinema shall be parked at 1 space for every 3.5 seats, and the remainder of the shopping center shall be parked at one space for every 283 square feet. Also, in order to ensure adequate parking is available on-site, restaurants shall occupy no more than 20 percent of the overall shopping center building square footage (If the cinema is not included in the proposed project then this restriction would no longer apply). or through application of the ITE shared parking rates for 1 PM on a weekend day (plus 10 percent). After the center is 75-20 percent built out on the basis of floor area (assuming the cinemas have been completed), the calculation of parking requirements for new restaurant uses may be adjusted based on the results of physical parking surveys conducted at the center by a qualified transportation consultant during the peak usage period. (If the cinemas have not been completed upon 20 percent project completion, then the buildout threshold for such calculations shall be 85 percent of project buildout.) As a guide to the approximate maximum floor area of restaurant that can be constructed without resulting in a parking deficiency for the project, the maximum floor area can range from 25,000 square feet (assuming 100 percent sit-down restaurant) to 41,000 square feet (assuming 100 percent fast food restaurant), although the actual maximum will fall between these numbers if the project ultimately includes a mix of the two restaurant~~

~~types. (These maximum figures assume floor areas for all other project uses will remain as proposed on the May 2, 2005 project site plan.)~~

### AMENDMENTS TO SECTION 4.5, ALTERNATIVES TO THE PROJECT

*The third paragraph on page 4-22 has been revised as follows:*

CEQA Guidelines Section 15126.6(e)(2) requires that the environmentally superior alternative be identified. If the environmentally superior alternative is the 'No Project' Alternative, the EIR shall also identify an environmentally superior alternative among other alternatives. In this case, Alternative 1, 'No Project/No Development,' represents the environmentally superior alternative because, as determined from the above analysis, most impacts would be reduced relative to the proposed project. However, the 'No Project/No Development' meets none of the project objectives and is inconsistent with the General Plan and zoning land use designations. From the remaining options, Alternative 2 3, the 'Reduced Density Alternative,' would be the environmentally superior alternative and would result in a lesser degree of environmental impact as compared to the proposed project. This is due primarily to the reduced impacts related to traffic, parking and circulation and associated reduction in noise and air quality impacts that would result from the reduced square footage. However, this scenario would not be financially feasible to the project applicant and would not meet the applicant's project objectives or the City's objectives to provide commercial retail shopping center that serves the local and regional market, results in a net fiscal benefit to the City, reduces sales dollar leakage, and creates new jobs for the City of Morgan Hill. Table 4-3 compares each considered alternative with the proposed project.

## S - EXECUTIVE SUMMARY

**TABLE S-1**  
**EXECUTIVE SUMMARY OF PROJECT AND CUMULATIVE IMPACTS**

Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
<b>Aesthetics/Visual Resources</b>			
Impact 3.1-1. The proposed project would alter the project site from a rural residential and agricultural use to an urban use with construction of a 657,250 square foot commercial center at the U.S Highway 101/Cochrane Road interchange.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.1-2. The proposed project would introduce new sources of lighting that could adversely affect the existing and proposed development in the vicinity of the project site.	Less than Significant Project Impact	MM 3.1-1. The project applicant shall prepare and submit a detailed exterior lighting plan consistent with Section 18.74.370 of the City of Morgan Hill Municipal Code.	Less than Significant Project Impact
Impact 3.1-3. The proposed project in combination with cumulative development would add to the urbanization of the project area, resulting in a visual change within the City of Morgan Hill.	Less than Significant Cumulative Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Cumulative Impact
<b>Agricultural Resources</b>			
Impact 3.2-1. The proposed project would result in the conversion of approximately 66.49 acres of 'Prime Farmland' as designated on California Department of Conservation, Division of Land Resources Protection <i>Santa Clara County Important Farmland Map</i>	Significant Project Impact	There are no feasible mitigation measures available to reduce the impact of agricultural land conversion to a less than significant impact.	Significant and Unavoidable Project Impact
Impact 3.2-2. At build-out, the proposed project would place urban land uses adjacent to agricultural uses, which may impair agricultural production and result in land use compatibility conflicts.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
Impact 3.2-3. The proposed project would convert approximately 66.49 acres of agricultural land to urban uses. This loss would contribute to the cumulative loss of farmland in the region.	Less than Significant Cumulative Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Cumulative Impact
Air Quality	Potentially Significant Project Impact	<p><b>MM 3.3-1.</b> The project applicant shall conduct a full site assessment for asbestos-containing materials (ACM) prior to demolition. Identified ACM shall be removed and disposed of by a licensed contractor and clearance obtained from the Bay Area Air Quality Management District (BAAQMD).</p>	Less than Significant Project Impact
Impact 3.3-1. The proposed project would require the demolition of three residences and associated outbuildings. Asbestos is detectable in hazardous concentrations in the structures at the project site. Therefore, demolition of these buildings has the potential to result in short-term air quality emissions, including the release of asbestos.	Potentially Significant Project Impact	<p><b>MM 3.3-2a.</b> The project applicant shall implement dust control measures recommended by the BAAQMD for construction emissions of fine particulate matter (PM<sub>10</sub>) during construction.</p> <p><b>MM 3.3-2b.</b> The project applicant shall limit the pieces of diesel powered equipment and limit the idling of heavy-duty equipment as feasible to reduce the amount of diesel exhaust during construction.</p>	Less than Significant Project Impact
Impact 3.3-2. Construction activity during build-out of the proposed project would generate air pollutant emissions that could expose sensitive receptors to substantial pollutant concentrations.	Potentially Significant Project Impact	<p><b>MM 3.3-3a.</b> A facilities 'trip reduction plan' shall be implemented by the project applicant to reduce vehicle trips by employees and promote non-auto travel by both employees and patrons.</p> <p><b>MM 3.3-3b.</b> The project applicant shall integrate design features into the proposed project to reduce area source air quality emissions.</p>	Significant and Unavoidable Impact
Impact 3.3-3. The proposed project would generate operational emissions that would affect long-term air quality.	Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.3-4. The proposed project would result in an increase in carbon monoxide concentrations at land uses near roadways and intersections.	Less than Significant Project Impact		

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
Impact 3.3-5. The proposed project includes a possible fuel station, which could result in the emission of toxic air contaminants, including benzene.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.3-6. Project development, combined with other reasonably foreseeable projects in the project vicinity, would contribute to increased air quality emissions in the air basin.	Significant Cumulative Impact	There are no feasible mitigation measures available to reduce regional air quality emissions to a less than significant level.	Significant and Unavoidable Cumulative Impact
<b>Biological Resources</b>			
Impact 3.4-1. Development of the proposed project would result in temporary disturbance and permanent alteration of a site, which could be a dispersal area for Bay checkerspot butterfly.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.4-2. Implementation of the proposed project would result in temporary and direct alteration of site conditions that could support burrowing owl, a special status wildlife species.	Potentially Significant Project Impact	<p>MM 3.4-1a. The project applicant shall conduct a preconstruction survey for nesting burrowing owls no more than 30 days prior to ground disturbance. Any owls inhabiting the site shall be protected during the nesting season or be excluded and/or passively relocated outside of the nesting area by a qualified biologist. A qualified biologist shall be present during initial ground clearing and if undetected owls emerge during clearing activity shall cease until the proper measures are implemented.</p> <p>MM 3.4-1b. The project applicant shall compensate for loss of burrowing owl habitat by complying with the Citywide Burrowing Owl Habitat Mitigation Plan and fee program.</p>	Less than Significant Project Impact
Impact 3.4-3. Implementation of the proposed project would result in temporary and direct disturbance to nesting raptors and migratory birds (excluding burrowing owl).	Potentially Significant Project Impact	<p>MM 3.4-2. If proposed construction activities are planned to occur during the nesting seasons, the project applicant shall retain a qualified biologist to conduct a focused survey for active nests of raptors and migratory birds. If active nests are located during preconstruction surveys, construction activities shall be restricted to avoid disturbance of the nest. No action is necessary</p>	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
		if construction will occur during the nonbreeding season (generally September 1 <sup>st</sup> through January 31 <sup>st</sup> ).	
Impact 3.4-4. Implementation of the proposed project would result in temporary and direct alteration of site conditions that could support San Joaquin kit fox, a special status wildlife species.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.4-5. Implementation of the proposed project would result in temporary and direct alteration of site conditions that could support special status bat species and/or their roosting habitat.	Potentially Significant Project Impact	<p>MM 3.4-3. The project applicant shall retain a qualified biologist to conduct a focused preconstruction survey 45 days prior to ground disturbance for possible roost sites of special status bat species within the project area. If bat species or roosts are identified the biologist in coordination with the project applicant shall (at a minimum): identify species present within the roost; install one-way bat doors at the roost and bat boxes with guidance from the USFWS and/or DFG.</p> <p>The applicant shall postpone any activity that would damage or disturb the roost site and implement USFWS and/or DFG recommendations for minimizing the potential to take bat species during construction. If bat species are not identified onsite during the preconstruction survey, no further action is necessary.</p>	Less than Significant Project Impact
Impact 3.4-6. Implementation of the proposed project would result in potential removal of 118 various species, five of which fall within the criteria of the City of Morgan Hill Ordinance Section 12.32.070.	Potentially Significant Project Impact	MM-3.4-4. Removal and/or relocation of trees at the project site shall be in compliance with the City of Morgan Hill Municipal Code, Restrictions on Removal of Significant Trees.	Less than Significant Project Impact
Impact 3.4-7. Implementation of the proposed project would potentially result in increased runoff entering the SCVWD Cochrane Channel, which is a tributary of Coyote Creek.	Potentially Significant Project Impact	Mitigation Measure MM 3.8-5 in Section 3.8, Surface Water Hydrology and Water Quality would require implementation of structural and non-structural stormwater controls that would reduce the long-term potential of increased non-point source pollution in Coyote Creek.	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
Impact 3.4-8. The proposed project, in addition to anticipated cumulative development in the project vicinity, may disturb special status species, critical habitats, and wildlife movement throughout the region.	Potentially Significant Cumulative Impact	Implementation of Mitigation Measures MM3.4-1a, b through MM 3.8-5, would reduce the overall contribution to cumulative biological resource impacts resulting from completion of the proposed project.	Less than Significant Cumulative Impact
Cultural and Historic Resources		<p>Potentially Significant Project Impact</p> <p>MM 3.5-1a. Should any previously undisturbed cultural, historic, or archaeological resources be uncovered, all operations within 150 feet of the discovery shall be halted until a qualified professional archaeologist can recommend appropriate action.</p> <p>MM 3.5-1b. In the event of discovery or recognition of any human remains, there shall be no further disturbance until the coroner of Santa Clara County has determined whether the remains are subject to the coroner's authority or if the Native American Heritage Commission needs to be notified.</p>	Less than Significant Project Impact
Impact 3.5-1. The project site does not contain any recorded or anticipated resources of archaeological, cultural, or pre-historic significance. However, site preparation and grading could disrupt undiscovered archaeological and cultural resources of importance under CEQA and/or eligible for listing on the California Register.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.5-2. Implementation of the proposed project would demolish three private residences and associated structures that were constructed over 45 years ago. Based on the archaeological and historic investigation, none of the buildings/structures within the project site appear to meet the eligibility criteria for inclusion in the California Register of Historic Resources (CRHR) or for consideration as unique archaeological resources.	Potentially Significant Cumulative Impact	Implementation of Mitigation Measures MM 3.5-1a and MM 3.5-1b would address impacts on a case by case basis, thus avoiding compounding of cumulative development.	Less than Significant Cumulative Impact
Impact 3.5-3. Implementation of the proposed project, in combination with cumulative development activity in the region, would increase the potential to disturb or contribute to the loss of known and undiscovered cultural resources.	Potentially Significant Cumulative Impact		

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
<b>Geology and Soils</b>			
Impact 3.6-1. Strong ground shaking occurring on the site during a major earthquake event could cause severe damage to project buildings and structures.	Significant Project Impact	MM 3.6-1. Structural damage to buildings resulting from ground shaking shall be minimized by following the requirements of the California Building Code and implementing the recommendations of the project geotechnical engineer.	Less than Significant Project Impact
Impact 3.6-2. There is a low, but not necessarily insignificant, potential for liquefaction at the project site, which could result in differential settlements and damage to project structures and improvements.	Potentially Significant Project Impact	MM 3.6-2. All proposed structures shall be evaluated for liquefaction potential as part of subsequent design-level geotechnical engineering investigations. If determined to be a potential for liquefaction, mitigation will be accomplished through compliance with the geotechnical engineering reports recommendations.	Less than Significant Project Impact
Impact 3.6-3. There is a potential for seismically-induced ground settlements at the site, which could result in damage to project foundations and structures.	Potentially Significant Project Impact	MM 3.6-3. Near-surface soils beneath buildings, exterior slabs, and pavements shall be over-excavated and recompacted, in accordance with the specifications recommended by the project geotechnical engineer.	Less than Significant Project Impact
Impact 3.6-4. Soils present on the site exhibit high compressibility and high collapse potential, which could result in damage to structures.	Potentially Significant Project Impact	MM 3.6-4. The effects of soil compressibility and collapse potential shall be mitigated through over excavation and compaction of soil beneath proposed structures, in accordance with the specifications to be recommended by the project geotechnical engineer.	Less than Significant Project Impact
Impact 3.6-5. There is a low, but not necessarily insignificant, potential for soils expansion at the site, which could result in differential sub-grade movements and cracking of foundations.	Potentially Significant Project Impact	MM 3.6-5. All final design specifications to be recommended by the project geotechnical engineer shall be incorporated into the project design to prevent saturation of soils beneath structures.	Less than Significant Project Impact
Impact 3.6-6. The project soils are mildly corrosive to buried metal objects, and could result in damage to buried utilities.	Potentially Significant Project Impact	MM 3.6-6. The proposed project shall utilize corrosion-resistant materials in construction.	Less than Significant Project Impact
Impact 3.6-7. There is a potential for bank instability along the banks of the proposed detention basins for the project.	Potentially Significant Project Impact	MM 3.6-7. Design-level geotechnical studies shall investigate the potential of bank instability at the proposed stormwater detention basins and recommend appropriate setbacks, if warranted.	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
<b>Hazards and Hazardous Materials</b>			
Impact 3.7-1. Residual pesticides and metals are present in the soils on the project site; however, the concentrations are low and are not considered hazardous.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.7-2. The project site includes approximately three residences and associated outbuildings that are proposed for demolition with implementation of the proposed project. According to an asbestos and lead-based paint reconnaissance performed by Bovee Environmental Management, Inc. these existing structures contain asbestos and lead-based paint in hazardous concentrations.	Significant Project Impact	Implementation of MM 3.3-1 in Section 3.3, Air Quality, would require the project applicant to conduct a full site assessment and removal of ACM prior to demolition.  MM 3.7-1. Prior to demolition of any on-site structures, a full site assessment for lead-based paint shall be conducted and all identified deteriorating lead-based paint shall be removed and disposed of by a licensed contractor in accordance with Title 22 of the California Code of Regulations.	Less than Significant Project Impact
Impact 3.7-3. There are four septic tanks reportedly present on the project site, although their locations were not identified during the Phase I site reconnaissance.	Significant Project Impact	MM 3.7-2. Septic systems at the project site shall be properly removed in accordance with state regulations and the requirements of the Santa Clara County Environmental Health Department.	Less than Significant Project Impact
Impact 3.7-4. Unless the four existing wells on the site are properly destroyed, they could act as conduits for groundwater contamination.	Significant Project Impact	MM 3.7-3. Prior to commencement of site clearing and general demolition activities, the existing wells on the site shall be destroyed in accordance with state and Santa Clara County regulations and requirements.	Less than Significant Project Impact
Impact 3.7-5. The potential presence of PCBs in the existing transformers on the project site poses a potential health hazard; however, the transformers would be properly removed from the site by PG&E prior to site development.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.7-6. The proposed project includes a possible fuel station, which would involve potentially hazardous storage and handling of gasoline.	Significant Project Impact	MM 3.7-4. The gasoline station operator shall obtain a Hazardous Materials Storage Permit from the Santa Clara County Fire Department and air quality permits from the BAAQMD.	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
Impact 3.7-7. New development resulting from cumulative development in the City of Morgan Hill could expose people, property, and the environment to hazardous materials.	Less than Significant Cumulative Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Cumulative Impact
Hydrology and Water Quality			
Impact 3.8-1. The proposed project would result in a substantial increase in stormwater runoff generated at the project site compared to existing conditions; however, the project includes detention ponds which have been designed to provide temporary storage of increased runoff in order to prevent increased flooding downstream.	Less than Potentially Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed. <u>MM 3.8-4.</u> Subject to approval by the SCVWD, the project applicant shall install a telemetry system which senses the flow in Coyote Creek at a SCVWD stream gage system, and shuts down the pumping system at the detention ponds when creek discharges reach or exceed a levels believed to cause flooding in the William Street area in the City of San Jose.	Less than Significant Project Impact
Impact 3.8-2. During the 100-year storm event, the project site may be subject to shallow flooding to depths of less than one foot; however, all finished floors will be on raised pads at least one foot above existing ground elevations to prevent flooding of the project buildings.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.8-3. Since the project site is located within the dam failure inundation area for Anderson Reservoir, development of the proposed project would increase the number of people and structures exposed to dam failure risk and the potential for associated loss of life and property.	Significant Project Impact	<u>MM 3.8-1.</u> Prior to occupancy of the structures, the project applicant shall prepare an emergency evacuation plan for the proposed project.	Less than Significant Project Impact
Impact 3.8-4. During grading and construction, erosion of exposed soils and pollutants generated by site development activities may result in water quality impacts to downstream water bodies.	Potentially Significant Project Impact	<u>MM 3.8-2.</u> The project applicant shall prepare a comprehensive erosion control and water pollution prevention program to be implemented during grading and construction activities.	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
Impact 3.8-5. The proposed project would generate urban non-point contaminants, which may be carried in stormwater runoff from paved surfaces to downstream water bodies.	Significant Project Impact	MM 3.8-3 The proposed project shall include structural and non-structural stormwater controls, in order to reduce non-point source pollutant loads. Post-construction Best Management Practices shall also be implemented.	Less than Significant Project Impact
Impact 3.8-6. New development, combined with other reasonably foreseeable projects in the City of Morgan Hill, would contribute to increased surface runoff and greater runoff contamination in an area that historically was used for agriculture.	Less than Significant Cumulative Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Cumulative Impact
<b>Land Use</b>			
Impact 3.9-1. The proposed project would not disrupt or divide an established community.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.9-2. The proposed project would not conflict with existing policies adopted to avoid or mitigate environmental impact.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.9-3a. The proposed project would construct a 657,250 square-foot retail center that would could consist of the relocation and expansion of the 'Target' store (currently located at the Cochrane Plaza shopping center) and construction of over 530,000 square feet of additional retail, which could include a home improvement store, wholesale store or department store; retail shops; restaurants (sit-down and fast food); and a 63,200 square foot multiplex cinema with up to 14 screens. These retail uses would compete with existing businesses in the City of Morgan Hill. This increased competition could potentially result in or contribute to closure of existing businesses in the City of Morgan Hill and there is a	Significant Project Impact	MM 3.9-1. The Target Corporation will make a written commitment to maintain their vacated existing store per the City of Morgan Hill Municipal Code. This commitment will extend to successors in ownership if the Target Corporation sells the property and until a majority of the space in the vacant store is re-occupied for a period of at least 12 consecutive months.  MM 3.9-2. The Target Corporation will provide the City of Morgan Hill with a façade easement on the existing Target space. This façade easement will be granted for a period not to exceed five years, or until a majority of the space is re-occupied for a period of at least 12 consecutive months.  MM 3.9-3. The Target Corporation shall provide the City of Morgan Hill with a written re-tenancy plan for the vacant store.	Significant and Unavoidable Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
high likelihood that the Cochrane Plaza would be subject to a causal chain ultimately resulting in urban decay.	Potentially Significant Project Impact	<p><b>MM 3.9-4.</b> If the Lawrence Oaks, Cochrane Plaza, and Tenant Station shopping centers face vacancies following the opening of the proposed project, the City of Morgan Hill will monitor maintenance of the vacated spaces and their centers for the first signs of disinvestment or deterioration, and require that these properties continue to be maintained to standards as stated in Section 15.56.020 of the Morgan Hill Municipal Code.</p> <p><b>MM 3.9-5.</b> To help small local businesses compete with likely national chain retailers in the proposed project, the City of Morgan Hill will fund programs aimed at assisting locally-owned small retailers.</p> <p><b>MM 3.9-6.</b> City of Morgan Hill will ensure the Target Corporation, the other owners of Cochrane Plaza, and the owners of Tenant Station, Vineyard Town Center, and the Lawrence Oaks Shopping Center are aware that their centers are in the City's Redevelopment Area, and are eligible to apply for programs administered by the City's Business Assistance Division.</p>	Less than Significant Project Impact
Impact 3.9-3b. The proposed project would increase competition that could result in closure for major tenants in the Lawrence Oaks and Tenant Station shopping centers.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.9-4. The proposed project, combined with other foreseeable projects in the City of Morgan Hill may result in cumulative land use impacts to the project area.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.9-5. The proposed project, combined with other foreseeable projects in the City of Morgan Hill may result in urban decay due to secondary cumulative land use impacts.	Less than Significant Project Impact		

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
<b>Noise</b>			
Impact 3.10-1. Construction activities at the project site would result in elevated noise levels, with maximum noise levels ranging from 85-88 dB at 50 feet.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.10-2. The proposed project will result in an increase of approximately 22,009 daily weekday automobile trips on the existing roadway network, which will result in traffic noise level increases greater than 5 dBA L <sub>dn</sub> over background conditions.	Significant Project Impact	There are no feasible mitigation measures available to reduce the operational noise impacts to a less than significant impact.	Short-Term Significant and Unavoidable Project Impact
Impact 3.10-3. Noise generated by activity associated with the proposed project would elevate off-site noise at sensitive receptors in the project vicinity.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.10-4. The proposed project would be exposed to noise from existing and future traffic on U.S. Highway 101 and Cochrane Road.	Less Than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.10-5. The proposed project would contribute to cumulative traffic on the roadway network over existing conditions, which would contribute to cumulative traffic noise at sensitive receptors along Cochrane Road.	Significant Cumulative Impact	There are no feasible mitigation measures available to reduce the cumulative traffic noise impacts to a less than significant level.	Significant and Unavoidable Cumulative Impact
<b>Public Services</b>			
Impact 3.11-1. The proposed project will not result in the need for new or physically altered governmental facilities, but will increase service demands for police patrol and incident response.	Potentially Significant Project Impact	MM 3.11-1. The project applicant shall install and maintain a video surveillance system and on-site security personnel during all hours of operation.	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
Impact 3.11-2. The proposed project will increase the demand for fire protection. However, the proposed project would not result in the need for new or physically altered governmental facilities.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.11-3. The proposed project will generate employment opportunities, which may attract additional residents with school-age children to Morgan Hill.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.11-4. The proposed project will not conflict with an established recreational land use in the area nor inhibit the future provision of recreational opportunities. The proposed project will generate employment opportunities that may attract a limited number of new residents and with them incremental demand for recreational opportunities.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Cumulative Impact
Impact 3.11-5. The proposed project, in addition to anticipated cumulative development in the project vicinity, may result in the need for increased public facilities for the provision of police and fire protection services, and to a lesser degree parks and educational facilities.	Less than Significant Cumulative Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Cumulative Impact
<b>Transportation and Circulation</b>		MM 3.12-1a. At the Dunne Avenue/Monterey Road intersection, the westbound right-turn lane shall be restriped as a shared through/right-turn lane, and a northbound right-turn overlap phase shall be installed. This improvement would be required when 35 percent of the project has been constructed based on total PM peak hour trip generation. MM 3.12-1b. At Cochrane Road/Mission View Drive intersection,	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
project traffic causes a decrease (i.e., improvement) in the average critical delay, the critical volume-to-capacity ratio increases by more than 0.01. This is considered a significant impact.		a traffic signal shall be installed with protected left-turn phasing on all approaches. In addition geometry will be reconfigured as follows: <ul style="list-style-type: none"> <li>• Northbound approach - one left-turn lane and one shared through/right-turn lane.</li> <li>• Westbound approach - one left-turn lane, one through lane, and one shared through/right-turn lane.</li> <li>• Southbound approach - one left-turn lane, one shared through/right-turn lane, and one right-turn lane.</li> <li>• Eastbound approach - one left-turn lane, one through lane, and one right-turn lane.</li> </ul>	
b) At the Cochrane Road/Mission View Drive unsignalized intersection, the addition of project traffic is expected to reduce acceptable levels of service under Background Conditions to an unacceptable level of service (LOS F) during the AM, PM, and Saturday midday peak hours. This is considered a significant impact.		MM 3.12-2. The proposed project shall implement the applicable actions listed in the <i>Immediate Implementation Action List</i> contained in the <i>Deficiency Plan Guidelines</i> of the County's Congestion Management Program.	Significant and Unavoidable Project Impact
Impact 3.12-2. The addition of project-generated traffic would have a significant impact on the level of service at the segment of U.S. Highway 101 between Tennant Avenue and Dunne Avenue.	Significant Project Impact	MM 3.12-3. The two driveways shown directly behind the movie theater complex on Mission View Drive should be eliminated from the proposed project, and a circulation aisle should be provided behind the movie theater complex. The project applicant shall work with the City to incorporate traffic calming improvements at the driveways located along Mission View Drive to minimize pedestrian and vehicle conflicts at the project site.	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
Impact 3.12-4. At the southernmost project driveway on Mission View Drive (i.e., the first driveway north of the Cochrane Road intersection), the preliminary site plan shows no left-turn restrictions. Given the close proximity of this driveway to Cochrane Road, if left turns into the project site are allowed at this driveway, this could result in potential conflicts with vehicles queuing on the north leg of the Mission View/Cochrane intersection.	Significant Project Impact	MM 3.12-4. The southernmost project driveway should be designated as a right-turn in and out only driveway.	Less than Significant Project Impact
Impact 3.12-5. The main north-south circulation aisle that extends north into the project from De Paul Drive is a long straight section that may encourage speeding without traffic control devices.	Potentially Significant Project Impact	<p>MM 3.12-5. The following modifications are identified on the main north-south circulation aisle to discourage speeding and provide more visible crosswalks for pedestrians:</p> <ul style="list-style-type: none"> <li>a) At the first intersection north of Cochrane stop signs should be installed on the side street approaches;</li> <li>b) At the second intersection north of Cochrane, provide one of the following alternative configurations: <ul style="list-style-type: none"> <li>i) Provide raised intersection to provide vertical displacement, and provide stop signs on the side street approaches; or</li> <li>ii) Provide stops signs on all four approaches;</li> </ul> </li> <li>c) At the third intersection north of Cochrane, provide stops signs on all four approaches.</li> </ul>	Less than Significant Project Impact
Impact 3.12-6. At the southwest corner of the building "Major 8" (on March 10, 2005 site plan), the proximity of the designated loading zone to the nearby intersection of two major internal drive aisles could create a driving hazard due to driver confusion.	Potentially Significant Project Impact	MM 3.12-6. The designated loading zone shall be relocated far enough to the east to allow the intersection approach lane to be reduced to one lane.	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
Impact 3.12-7. Due to demand for transit service generated by the project, existing transit facilities may not be adequate to serve the project.	Potentially Significant Project Impact	MM 3.12-7. The project applicant shall construct a new bus stop along the project frontage, including transit amenities such as a bus turnout, a shelter, and benches. All improvements shall be in accordance with the Santa Clara Valley Transportation Authority (VTA) standards. The City of Morgan Hill shall work with the project applicant, Caltrain, and the VTA on ways to increase the frequency and coverage of transit service serving the project area and the nearest Caltrain station.	Less than Significant Project Impact
Impact 3.12-8. The preliminary project site plan does not indicate pedestrian crossing facilities at the major intersections adjacent to the project; unless these are provided, a hazard to pedestrian circulation could result.	Potentially Significant Project Impact	MM 3.12-8. Pedestrian crosswalks shall be provided on all four legs of the Cochrane Road/Mission View Drive intersection, and at all but the west leg of the Cochrane Road/De Paul Drive intersection.	Less than Significant Project Impact
Impact 3.12-9. The proposed project would create a demand for bicycle facilities, including: a) bicycle racks or lockers within the project site; and b) bicycle lanes along the project frontages.	Potentially Significant Project Impact	MM 3.12-9. The following bicycle facilities shall be incorporated into the project: a) Bicycle racks and/or lockers to accommodate bicycle travel by customers and employees, and b) Class II bicycle lanes along the project street frontages. The <i>Santa Clara Valley Transportation Authority (VTA) Bicycle Technical Guidelines</i> , <i>VTA Community Design and Transportation Guidelines</i> and the <i>VTA Pedestrian Technical Guidelines</i> shall be used in design of the proposed bicycle facilities associated with the proposed project.	Less than Significant Project Impact
Impact 3.12-10. The proposed project may not provide sufficient parking supply to meet the demand generated by the planned project land uses.	Potentially Significant Project Impact	MM 3.12-10. The overall number of parking spaces included in the project shall be required to meet the aggregate parking demand of the various land uses proposed within the project. City code parking requirement as follows: the cinema shall be parked at 1 space for every 3.5 seats, and the remainder of the shopping center shall be parked at one space for every 283 square feet. Also, in order to ensure adequate parking is available on-site, restaurants shall occupy no more than 20 percent of the overall shopping center building square footage (if the cinema is not	Less than Significant Project Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s) included in the proposed project then this restriction would no longer apply.	Resulting Level of Significance
Impact 3.12-11 The addition of project-generated traffic would result in cumulative level of service impacts at the Cochrane Road/Mission View Drive intersection.	Significant Cumulative Impact	<p>MM 3.12-11 At the Cochrane Road/Mission View Drive intersection, a traffic signal shall be installed with protected left-turn phasing on all approaches. In addition, this intersection shall be reconfigured to include the following geometry:</p> <ul style="list-style-type: none"> <li>The northbound approach should include one left-turn lane, and one shared through/right-turn lane.</li> <li>The westbound approach should include one left-turn lane, one through lane, and one shared through/right-turn lane.</li> <li>The southbound approach should include one left-turn lane, one shared through/right-turn lane, and one right-turn lane.</li> <li>The eastbound approach should include one left-turn lane, one through lane, and one right-turn lane.</li> </ul>	Less than Significant Cumulative Impact
Impact 3.12-12 The addition of project-generated traffic would impact the level of service at the segment of U.S. Highway 101 between Tennant Avenue and Dunne Avenue	Significant Cumulative Impact	<p>There are no feasible mitigation measures available to reduce the level of service impacts at the segment of U.S. Highway 101 between Tennant Avenue and Dunne Avenue to a less than significant impact.</p>	Significant and Unavoidable Cumulative Impact
Impact 3.12-13 With the addition of project-generated traffic, significant impacts would occur at two intersections under General Plan Buildout Conditions, as follows:	Significant Cumulative Impact	<p>MM 3.12-13 The following intersection modifications are identified to provide acceptable operations under General Plan Buildout Conditions:</p> <p>a) Cochrane Road/Butterfield Boulevard. For the intersection to operate at LOS D+ or better the General Plan configuration for the intersection would require the following modifications:</p> <ul style="list-style-type: none"> <li>Northbound approach: increase number of leftturn lanes from one to two; increase the number of through lanes from one to two; reduce the number of right-turn lanes from two to one.</li> <li>Eastbound approach: add a free right-turn lane.</li> </ul> <p>b) Cochrane Road/Cochrane Plaza. For the intersection to operate</p>	Less than Significant Cumulative Impact

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Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
LOS D during the PM peak hour under General Plan Buildout Conditions.		<p>at LOS D+ or better the General Plan configuration for the intersection would require the following modifications:</p> <ul style="list-style-type: none"> <li>• Southbound approach: increase number of left-turn lanes from one to two; change the shared left/through lane to a through lanes; keep the number of right-turn lanes at one.</li> </ul> <p>To implement the above mitigation measures, the applicant will be required to pay impact fees, which reflect the project's fair share of improvement costs.</p>	Less than Significant Project Impact
Utilities			
Impact 3.13-1. The proposed project would generate between 0.8 and 8.3 tons of solid waste per day. The waste management provider has sufficient capacity to accommodate the waste within local landfills. However, the project may result in noncompliance with the California Integrated Waste Management Act (1989) without sufficient waste diversion practices.	Potentially Significant Project Impact	MM 3.13-1. The project applicant shall locate and maintain recycling receptacles for corrugated cardboard, mixed paper, food and beverage containers, and landscaping waste.	Less than Significant Project Impact
Impact 3.13-2. The proposed project would increase the demand for electric, natural gas, telephone and cable services.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.13-3. The proposed project will increase the demand for potable water. However, the existing water system can adequately supply the project and the increase would not be substantial in relation to the existing condition.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact
Impact 3.13-4. The proposed project would require on-site expansion and relocation of existing infrastructure, in addition to an increase in the amount of wastewater entering the sewer system.	Less than Significant Project Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Project Impact

## S - EXECUTIVE SUMMARY

Potential Project and Cumulative Impacts	Level of Significance w/o Mitigation	Summary of Mitigation Measure(s)	Resulting Level of Significance
Neither the expansion nor the increased flow, are substantial relative to current conditions and capacities.			
Impact 3.13-5. The proposed project, in addition to reasonably foreseeable projects in the vicinity, would likely result in the need for new or upgraded infrastructure for the delivery of water, sewer, telecommunications, electricity, and natural gas to the project area.	Less than Significant Cumulative Impact	No significant impact has been identified; therefore, no mitigation is proposed.	Less than Significant Cumulative Impact

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A DRAFT PROPOSAL

08.19.05



